

## *St. Louis City Ordinance 62330*

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 25

INTRODUCED BY ALDERMAN FREEMAN BOSLEY, SR.

An ordinance to repeal City of St. Louis Ordinance 58313 approved April 21, 1981 and enacting a new ordinance generally relating to the same subject, making it a punishable offense to deposit debris, trash or the like on the real property of another or on public land or property, without lawful permission; providing a scale of increasing penalties for violations; appropriating a part of money fines to a Lot Maintenance Fund of the Department of Forestry for cleaning purposes, and providing a bonus to citizens assisting in the enforcement of this measure; providing a penalty clause, severability clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. City Ordinance 58313 approved April 21, 1981 is hereby repealed.

SECTION TWO. No person, natural or legal shall deposit debris, trash, refuse or the like upon the real property of another or on public land or property, without lawful permission or authority.

SECTION THREE. PENALTY CLAUSE. A person convicted of violating Section Two of this Act shall be punished as follows:

A. for the first conviction, by a minimum fine of two hundred dollars (\$200.00) and incarcerated in the City Jail for three (3) days;

B. for the second conviction, by a minimum fine of three hundred dollars (\$300.00) and incarcerated in the City Jail for five (5) days; and

C. for a third conviction and subsequent conviction, by a minimum fine as had been adjudged on the person's second conviction and incarceration for not more than thirty (30) days in the City Jail.

D. upon conviction under any of the foregoing circumstances the Court may adjudge a requirement that the person perform or furnish public service to the City of not less than forty (40) hours in lieu of imposition of imprisonment.

SECTION FOUR. Of the fines levied upon convicted persons as aforesaid, one-half (1/2) of each fine imposed by the Court shall be paid by the Clerk of the Court to the City Treasurer to an account hereby established as the Lot Maintenance Fund of the Department of Forestry; and such accumulated fund is hereby appropriated to be employed by Department of Forestry to restore private and public property to a condition of cleanliness, safety and sanitary condition. The Department shall cause private liens to be filed against private property for recovery of the public cost involved for such restoration work where the property owner has failed to exercise reasonable measures for keeping the property in satisfactory condition. The Department of Forestry may award a bonus in an amount not less than one hundred dollars (\$100.00) but not more than two hundred dollars (\$200.00) from said account, in each case to a citizen who provides information leading to the arrest and conviction of any person violating this ordinance.

SECTION FIVE. SEVERABILITY CLAUSE. The sections of this ordinance shall be severable. In the event that any section of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining sections of this ordinance are valid unless the court finds the valid sections of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void section that it cannot be presumed that the Board of Aldermen would have enacted the valid sections without the void ones: or unless the court finds the valid sections standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION SIX. EMERGENCY CLAUSE. This being an ordinance necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure as provided for by Article IV, Section 19 and 20 of the Charter of the City of St. Louis, and shall be effective immediately upon approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
04/26/91	04/26/91	STR	06/04/91	06/04/91
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/07/91		06/21/91	06/21/91	06/27/91

ORDINANCE	VETOED	VETO OVR
62330		